

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LEMUEL L. LILLY,)
vs.)
Petitioner,)
JOHN EVANS,)
Respondent.)
)
) CIVIL NO. 05-728-GPM

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came before the Court on the Report and Recommendation by United States Magistrate Judge Philip M. Frazier.

IT IS ORDERED AND ADJUDGED that the Report and Recommendation is adopted and the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is denied in its entirety. Judgment is entered in favor of Respondent, JOHN EVANS, and against Petitioner, LEMUEL L. LILLY, and this action is dismissed on the merits.

DATED: 12/03/07

NORBERT G. JAWORSKI, CLERK

By: s/ Linda M. Cook
Deputy Clerk

APPROVED: s/ G. Patrick Murphy
G. PATRICK MURPHY
U.S. DISTRICT JUDGE